

REMARKS

Claims 1-3 and 8 have been amended. Claims 21-24 have been added.

In the Office Action under reply, claims 1-3 and 8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (U.S. Patent Application Publication No. 2002/0044758) in view of Lane et al. ("Lane") (U.S. Patent No. 5,377,051) in view of Yatomi (U.S. Patent 5,909,421). With respect to Applicant's claims, as amended, this rejection is respectfully traversed.

Applicant's independent claim 1 has been amended to better define Applicant's invention. More particularly, amended claim 1 recites a reproducing apparatus comprising: a reproducing unit configured to reproduce first moving image data encoded by intra-frame coding and inter-frame coding and second moving image data which is different from the first moving image data and is encoded by the intra-frame coding from a recording medium; an interface configured to output in a form of encoded data the first moving image data and the second moving image data reproduced by the reproducing unit to an outside of said reproducing apparatus; a decoding unit configured to decode the first moving image data and the second moving image data reproduced by the reproducing unit; a control unit configured to control operation of the interface and operation of the decoding unit, wherein the control unit controls, in response to a reproduction start instruction, the decoding unit and the interface such that the decoding unit selects the first moving image data among the first moving image data and the second moving image data reproduced by the reproducing unit and the interface outputs both the first moving image data and the second moving image data reproduced by the reproducing unit. As illustrated below, such a construction is not taught or suggested by the cited art of record.

Support for the amendments to claim 1 is set forth in the application as originally filed, wherein the reproducing unit is shown as recording and reproducing unit 108 in Fig.1; first moving image data corresponds to video PES shown in Fig. 2A; second moving image data corresponds to the high-speed reproduction data; the interface is shown as DIF 118 in Fig.1; the decoding unit is shown as decoder 113; the control unit is shown as control unit 116, along with the description thereof in the specification from page 10, line 23 to page 12, line 24.

Support for new independent claim 21, further discussed below, is set forth in the application as originally filed, wherein the input unit is shown as input unit 101 in Fig.1; the signal processing unit is shown as encoder 102, search generation unit 103 and packetization unit 104; the first moving image data corresponds to video PES shown in Fig. 2A; the second moving image data corresponds to high-speed reproduction data provided from a search data generation unit 103; the interface is shown as DIF 118 in Fig.1; the recording unit is shown as recording and reproducing unit 108; the control unit is shown as control unit 116, along with the description thereof in the specification from page 5, line 18 to page 10, line 20.

The present invention, as recited in Applicant's amended claim 1, pertains to a reproducing apparatus (e.g., the reproducing portion of a video tape recorder) that includes a reproducing unit for reproducing first moving image data encoded by intra-frame coding and inter-frame coding and second moving image data which is different from the first moving image data and is encoded by the intra-frame coding from a recording medium, wherein the device is arranged to control an interface and a decoding unit in response to a reproduction start instruction such that the decoding unit selects the first moving image data among the first moving image data and the second moving image data reproduced by the reproducing unit

and the interface outputs both the first moving image data and the second moving image data reproduced by the reproducing unit. As discussed in the application, it is advantageous to reproduce and output to an external device, such as another video tape recorder performing a dubbing operation, both the normally reproduced video data (which includes both intra-frame and inter-frame encoded data) and the high-speed reproduced video data (which includes only intra-frame encoded data) so that the device performing the dubbing operation (i.e., creating a copy) does not need to newly generate the high-speed reproduction data from the normal reproduced data, as discussed in the application on page 17, lines 6-14. As discussed below, none of the cited prior art both reproduces and outputs both the normal reproduction data (i.e., Applicant's recited first moving image data) and the high-speed reproduction data (i.e., Applicant's recited second moving image data). As specifically recited in Applicant's claim 1, the first moving image data was encoded using both intra-frame and inter-frame coding, and the second moving image data (used for high-speed reproduction) was encoded using only intra-frame coding, and wherein the first moving image data is different from the second moving image data.

Kobayashi discloses an apparatus that encodes a moving image using the MPEG standard and records the encoded moving image on a recording medium, and a reproducing apparatus that reproduces the recorded data and outputs the MPEG reproduced data to an external device, such as a video tape recorder. In the Office Action, the Examiner has acknowledged that "Kobayashi fails to disclose that the moving image data for normal and high speed reproduction is different as well as that in the high-speed reproduction mode." (Office Action, page 3, line 19 to page 4, line 2). Accordingly, since Kobayashi doesn't disclose moving image data that is different for normal and high-speed reproduction, it

likewise doesn't disclose outputting both types of data to an external device, that is, reproducing and outputting both first and second moving image data, such as recited in Applicant's claim 1.

Lane discloses a digital video recorder that employs different data for normal and high-speed reproduction (Lane calls the high-speed reproduction data "trick play" data). In the Office Action, the Examiner referred to Fig. 12(a) of Lane, and also Lane's discussion from col. 31, lines 24-44 and col. 32, lines 5-35 (Office Action, page 4, lines 3-6). First, it is important to note that these sections in Lane appear to have been referred to by Examiner solely for their teaching that different types of data are recorded onto a recording medium. In fact, these sections in Lane pertain to Lane's recording of the different types of data and do not pertain at all to the reproduction of the recorded video data. Instead, Lane describes its reproduction operations from col. 52, line 50 through col. 55, line 35, with reference to "VTR playback circuit 400" shown in Fig. 11. In Lane's discussion of video reproduction, Lane explicitly teaches that during the normal playback operation, only the recorded video data used for normal playback is output and, likewise, during the "fast forward playback operation," only the recorded video data used for this operation (i.e., the high-speed reproduction data) is output, as discussed in col. 53, lines 36-62. Col. 53, lines 53-62 are reproduced below:

"The playback packet filter 406 only outputs data packets which are designated as being for use at the particular playback speed which the VTR is operating at. For example, during normal playback operation the playback packet filter 406 will only output data packets identified for use during normal playback operation. Similarly, during 9x fast forward playback operation, the playback packet filter 406 will only output data packets identified for use during 9x fast forward playback operation." (underlining added)

Hence, Lane neither discloses nor suggests Applicant's claimed feature of selecting both the first and second moving image data (i.e., both the normal and high-speed reproduction data) reproduced by the reproducing unit and outputting, by the interface, both sets of data.

Yatomi discloses a dubbing system in which two video tape recorders are connected to each other and wherein the two video tape recorders are controlled to enable easy dubbing of the video data. Col. 3, lines 15-29 summarizes the dubbing operation, wherein the second VTR (i.e., the recording device) is automatically set to a pause mode while the first VTR is in a search mode, and then the second VTR is automatically set to a record mode when the first VTR changes from its search mode to a reproduction mode. This reference, however, neither discloses nor suggests different types of data for normal reproduction and high-speed reproduction and likewise neither discloses nor suggests outputting such different types of data during any reproduction mode.

In view of the foregoing, even when Kobayashi is modified in accordance with the teachings of Lane and Yatomi, since none of the cited art discloses or suggests Applicant's claimed feature of selecting both the first and second moving image data (i.e., both the normal and high-speed reproduction data) that are reproduced by the reproducing unit and then outputting both sets of data, the resulting combination of the cited art likewise would not have such functionality.

New independent claim 21 recites an image processing apparatus that includes features similar to those recited in claim 1, but further is arranged to control an interface and a recording unit in parallel such that the interface outputs encoded data of both the first and second moving image data and at the same time the recording unit records the encoded

moving image data (containing both the first and second moving image data). Hence, claim 21 entails recording of both the first and second moving image data that is output by the device's interface, thereby enabling for proper dubbing of the entire video data without the need for the recording unit to newly generate high-speed reproduction data from the supplied normal reproduction data.

For those reasons already discussed, namely, since none of the cited art discloses or suggests the feature of outputting both Applicant's recited first and second moving image data, and also since none of the cited art discloses the additional feature of new claim 21 of recording the moving image data (containing both the first and second moving image data), the combination of the Kobayashi, Lane and Yatomi would not result in an apparatus having the features recited in new claim 21.

Therefore, neither Kobayashi nor Lane nor Yatomi discloses the above-described features of Applicant's independent claim 1 and Applicant's new independent claim 21. Hence, Applicant's claims 1 and 21, and their respective dependent claims, thus patentably distinguish over Kobayashi in combination with Lane and Yatomi.

PATENT
S/N: 10/771,794
B422-255 (25813.262)

In view of the above, it is submitted that Applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration and allowance of the application and claims is respectfully requested.

Dated: June 17, 2010

COWAN, LIEBOWITZ & LATMAN, P.C.
1133 Avenue of the Americas
New York, New York 10036-6799
(212) 790-9286

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Montague", written in a cursive style.

Mark Montague
Reg. No. 36,612
An Attorney of Record